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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

VLADIMIR BALAREZO, ABELARDO
GUERRERO, VICTOR FUNEZ &
OSMIN AVILA, and on behalf of other
similarly situated

Plaintiffs,

vs.

NTH CONNECT TELECOM INC., AND
STEVEN CHEN,

Defendants

Case No.: 5:07-cv-05243-PJH

**STIPULATION REQUESTING AN
ORDER CHANGING AND
EXTENDING TIME;
DECLARATION OF TOMAS
MARGAIN; [PROPOSED] ORDER**

Plaintiffs and Defendants agree and stipulate to continue a Case Management Conference set for December 12, 2011 to January 19, 2012 as Plaintiffs counsel have a conflict that day and time in that they have an appearance in Sacramento. Because both counsel want to be at this Case Management

1 Conference in person, the continuance is sought. The basis is explained in the
2 Declaration of Tomas E. Margain.

3 Dated: December 9, 2011
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5 By: //s// Kevin Robert Allen
6 Kevin Robert Allen
7 Attorneys for Defendants
8 NTH CONNECT TELECOM INC., AND
9 STEVEN CHEN

10 Tomas Margain
11 Dated: December 9, 2011 DAL BON & MARGAIN, APC
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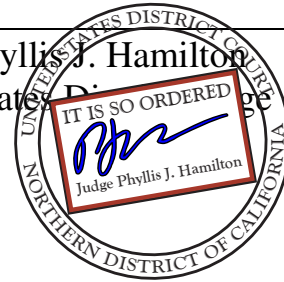
13 By: //s// Tomas Margain
14 Tomas Margain
15 Attorneys for Plaintiffs
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2 **PURSUANT TO STIPULATION, IT IS HEREBY ORDERED** that the
3 Case Management Conference set for December 15, 2011 shall be continued to
4 January 19, 2012 at 2:00 p.m.. Parties are to file a Joint Case Management
5 Statement by January 12, 2012.

6 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

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8 Dated: December 12 2011

9 Judge Phyllis J. Hamilton
10 United States District Court
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DECLARATION OF TOMAS MARGAIN

I, Tomas Margain, declare:

1. I am an attorney admitted to practice before the United States District Court, and one of Plaintiffs attorneys of record. I have personal knowledge of the facts set forth herein and could testify competently thereto.

2. Adam Wang and I are co-counsel representing the Plaintiff in the case of Pulera v. F&B, Inc., et al 08-CV-00275 MCE-DAD pending in the Eastern District. On December 15 2011 at 2:00 pm. we have a Court hearing in Sacramento. The Court Hearing was a final pre-trial conference which was vacated after Defendants failed to submit their pre-trial papers. The appearance is now an OSC hearing to show cause why sanctions should not be imposed including terminating sanctions for the failure to file pre-trial filings and for Defendants to serve a cross-complaint.

3. I had planned to appear personally in the Pulera case in Sacramento and to have Adam Wang appear in this case. However, after speaking with Mr. Wang to prepare the draft of the joint CMC statement, we believe that both of us should be at the Case Management Conference before this Court in person. We want to do this so that we may both address to the Court the procedural posture of the case and possible trial and pre-trial dates.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: December 9, 2011

//s// Tomas Margain

Tomas Margain